

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TABERNA CAPITAL MANAGEMENT, :
LLC, and LARRY LATTIG, Litigation Trustee for :
the First Magnus Litigation Trust, as Successor in :
Interest herein to Taberna Capital Management, :
LLC and The Bank of New York Mellon Trust :
Company, N.A., in its Capacity as Trustee Under :
The Indenture and Property Trustee for the :
First Magnus TPS Trust :

Plaintiff,

- against -

GURPREET S. JAGGI,

Defendant.
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No. 08 Civ. 11355 (DLC)

**DECLARATION OF
G. TODD JACKSON, ESQ.**

G. TODD JACKSON declares pursuant to 28 U.S.C. 1746:

1. I am member of the law firm of Butler, Oden & Jackson, P.C., attorneys for Defendant Gurpreet Jaggi ("Jaggi") in the above-captioned action. I submit this declaration in support of Defendant's motion, pursuant to F.R.E. Rules 403 and 702, to preclude the testimony of Lawrence D. Morriss ("Morriss") and for sanctions, pursuant to F.R.C.P. Rule 37(c).

2. Annexed hereto as Exhibit A is page 141 of Exhibit 341 to the November 11, 2010 Deposition of Morriss in this action.

3. Annexed hereto as Exhibit B are true and correct copies of excerpts from the November 11, 2010 Deposition of Morriss in this action cited in the motion.

4. Annexed hereto as Exhibit C is Tab 19 from Morriss' 7/30 Arizona Report and its correction, which was attached to Morriss' November 4, 2010 Supplemental Report.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on November 24, 2010.



G. Todd Jackson